SENATE JOURNAL

ELEVENTH DAY

MORNING SESSION

The Senate was called to order at 10:15 a.m., with President Al Mansell presiding.

Prayer - Bishop Mark Barlow, Bishop of the Westland 9th Ward in the Church of Jesus Christ of Latter-day Saints

Pledge of Allegiance - Senator David Gladwell

Roll Call - All Senators present except Senator Knudson, excused

READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 5)

COMMUNICATIONS FROM THE HOUSE

Mr. President:

January 29, 2003

The House passed, **S.B. 24**, LOCAL HUMAN SERVICES AUTHORITIES AMENDMENTS, by Senator S. Jenkins, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.B. 36**, MINERAL LEASE FUND AMENDMENTS, by Senator B. Evans, which has been signed by the Speaker and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 2**, RESOLUTION REAPPOINTING GENERAL COUNSEL, by Senator M. Waddoups, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. 24, S.B. 36, and **S.J.R. 2** were signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

Mr. President:

January 29, 2003

The House concurred in the Senate amendments and passed **H.B. 165**, REVISOR'S STATUTE, by Representative M. Dillree, et al, and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

H.B. 165, was signed by the President of the Senate in open session and returned to the House.

Mr. President:

January 29, 2003

Day 11

The House passed, as amended, **H.B. 14**, TOURISM PROMOTION PROGRAMS, by Representative S. Allen, and it is transmitted for consideration; and

The House passed **H.B. 82**, INITIATIVES - ONE SUBJECT REQUIREMENT, by Representative J. M. Philpot, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 166**, PAYDAY LENDING, by Representative T. McCartney, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 14, H.B. 82,** and **H.B. 166** were read the first time and referred to the Rules Committee.

Mr. President:

January 29, 2003

The House passed, as amended, **S.B. 25**, COMMITMENT AND CUSTODY OF ADULTS AND MINORS AMENDMENTS, by Senator S. Jenkins, and it is transmitted for further consideration.

Carole E. Peterson, Chief Clerk

S.B. 25 was placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate:

January 29, 2003

The Rules Committee recommends assignment of the following bills and resolutions to standing committees:

Business and Labor

S.B. 126 Workers' Compensation Amendments (E. Mayne)

S.B. 130 Regulations of Check Cashers (E. Mayne)
H.B. 174 Unemployment Insurance Fraud Amendments

(T. McCartney)

Education

H.B. 76 Truancy Amendments (D. Bourdeaux)

H.C.R. 2 Resolution Recognizing Resourceful Use of Technology

in the Classroom (G. Hughes)

Government Operations and Political Subdivisions

H.B. 62 Emergency Response Costs (B. Goodfellow)

Judiciary, Law Enforcement, and Criminal Justice

(T. McCartney)

H.B. 9	Competency to Stand Trial Amendments (S. Daniels)
H.B. 70	Assault Amendments (M. Thompson)
H.B. 172	Background Investigations of Peace Officer Candidates
	(L. Pace)
H.B. 173	Motor Vehicle Operator Fleeing a Peace Officer

Revenue and Taxation

H.B. 22	Property Tax Relief (W. Harper)
H.B. 27	Budget Reserve Account Amendments (C. Buttars)

Transportation and Public Utilities and Technology

S.B. 125	Restrictions on Passengers in Pickup Trucks (C. Bramble)
S.J.R. 8	Resolution Recognizing Liberty Day (E. Mayne)
H.B. 32	Vehicle Impound Fee for Driving Under the Influence
	Cases (J. Murray)
H.B. 68	Safety Inspection Requirement for Salvage Vehicles
	(G. Curtis)
H.B. 164	James V. Hansen Highway Designation (D. Aagard)
H.B. 197	License Plate for Boys and Girls Clubs (C. Bennion)

Workforce Services and Community and Economic Development

S.B. 128 Protective Order Amendments (L. Hillyard)
Lyle Hillyard

Rules Committee Chair

Report filed. On motion of Senator Hillyard, the committee report was adopted.

STANDING COMMITTEE REPORTS

Mr. President:

January 29, 2003

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 28**, INITIATIVE AMENDMENTS, by Senator J. Hickman; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 45**, LOBBYIST REPORTING REQUIREMENTS, by Senator P. Arent, with the following amendment:

1. Page 7, Line 204:

After line 204 insert:

"(d) In preparing each financial report, all expenditures shall be

reported as of two days before the required filing date of the report."; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 21**, STATE BUILDING OWNERSHIP AUTHORITY RECODIFICATION AND REVISION, by Representative N. Hansen; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 26**, STATE GENERAL OBLIGATION BOND ACT, by Representative R. Bigelow; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 181**, SECURITY REQUIREMENTS IN USE OF SOCIAL SECURITY NUMBERS, by Representative S. Allen, with the following amendment:

1. Page 2, Line 55:

After "<u>is a</u>" delete "<u>valid</u>" and insert "reasonable"

Carlene M. Walker, Chair

Mr. President:

January 29, 2003

Day 11

The Revenue and Taxation Committee recommends **S.B. 34**, TUITION TAX CREDITS, by Senator D. C. Buttars, et al, be replaced and favorably recommends **1st Sub. S.B. 34**, TUITION TAX CREDITS.

On motion of Senator Waddoups, the committee reports were adopted. **S.B. 28**, **S.B. 45**, as amended, **H.B. 21**, **H.B. 26**, **H.B. 181**, as amended, and **1st Sub. S.B. 34** were placed on Second Reading Calendar.

INTRODUCTION OF BILLS

UTAH HOME INSPECTION STANDARD OF PRACTICE

S.B. 62 Paula F. Julander

THIS ACT MODIFIES THE REAL ESTATE CODE BY CLARIFYING THE PRACTICE OF HOME INSPECTIONS; SETTING FORTH GUIDELINES AND DEFINITIONS; LISTING EXCLUSIONS; SPECIFYING REQUIREMENTS FOR A WRITTEN HOME INSPECTION REPORT; IDENTIFYING PROHIBITED PRACTICES; MAKING HOME INSPECTION SERVICE PROVIDERS LIABLE FOR INSPECTIONS NOT PERFORMED IN COMPLIANCE WITH THIS CHAPTER; AND LIMITING THE TIME WITHIN

WHICH A CLIENT MAY FILE A GRIEVANCE AGAINST AN INSPECTOR, was read for the first time and referred to the Rules Committee.

CORE CURRICULUM AMENDMENTS

S.B. 63 Bill Wright

THIS ACT MODIFIES THE STATE SYSTEM OF PUBLIC EDUCATION CODE BY REQUIRING THE CORE CURRICULUM TO INCLUDE PHONICS, SPELLING, AND BASIC COMPUTATIONAL SKILLS, was read for the first time and referred to the Rules Committee.

ALTERNATIVE TEACHER LICENSING

S.B. 64 Bill Wright

THIS ACT MODIFIES THE STATE SYSTEM OF PUBLIC EDUCATION CODE BY ALLOWING TEACHER LICENSES TO BE AWARDED BASED ON THE DEMONSTRATED COMPETENCE OF THE TEACHER. THIS ACT ALLOWS LOCAL SCHOOL BOARDS TO ENTER INTO INDIVIDUAL CONTRACTS OF EMPLOYMENT WITH CANDIDATES FOR, AND TEACHERS HOLDING, A DISTRICT-SPECIFIC LICENSE AND PROVIDES THAT THOSE CANDIDATES AND TEACHERS ARE INELIGIBLE FOR CAREER EMPLOYEE STATUS, was read for the first time and referred to the Rules Committee.

RECLAMATION SURETY FOR MINING OPERATIONS

S.B. 65 Mike Dmitrich

THIS ACT MODIFIES THE MINES AND MINING CODE TO PROVIDE THAT A RECLAMATION SURETY BE POSTED FOR ALL SMALL MINING OPERATIONS AND EXPLORATION PROJECTS. THIS ACT MAKES TECHNICAL AMENDMENTS, was read for the first time and referred to the Rules Committee.

AMENDMENTS TO INTERLOCAL COOPERATION ACT

S.B. 74 David L. Gladwell

THIS ACT MODIFIES THE INTERLOCAL COOPERATION ACT TO SPECIFY MATTERS THAT CAN BE THE SUBJECT OF AN INTERLOCAL AGREEMENT BETWEEN TWO OR MORE PUBLIC AGENCIES. THE ACT MODIFIES PROVISIONS RELATING TO THE APPROVAL OF

INTERLOCAL AGREEMENTS AND IMPOSES ADDITIONAL REQUIREMENTS ON INTERLOCAL AGREEMENTS THAT ARE REQUIRED TO BE APPROVED BY A PUBLIC AGENCY'S LEGISLATIVE BODY. THE ACT PROVIDES FOR THE POWERS, IMMUNITIES, AND PRIVILEGES OF LAW ENFORCEMENT OFFICERS PERFORMING DUTIES UNDER AN INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES. THE ACT EXPANDS THE ENTITIES WITH WHICH A POLITICAL SUBDIVISION MAY SHARE ITS REVENUES. THE ACT ENACTS PROVISIONS RELATING TO THE STATUS OF EMPLOYEES OF PUBLIC AGENCIES WHO PERFORM DUTIES UNDER AN INTERLOCAL AGREEMENT WITH ANOTHER PUBLIC AGENCY. THE ACT ALSO MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

REGULATION OF COERCIVE RESTRAINT PRACTICES

S.B. 137

Parley G. Hellewell

THIS ACT MODIFIES THE MENTAL HEALTH PROFESSIONAL LICENSING ACT. THE ACT RESTRICTS THE USE, PRACTICE, OR APPLICATION OF RESTRAINT TO CERTAIN CIRCUMSTANCES, was read for the first time and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 110, INDIVIDUAL INCOME TAX - STATE EARNED INCOME TAX CREDIT, was read the third time, explained by Senator Hatch, and passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators

Allen	Bell	Bramble	Buttars
Davis	Dmitrich	B. Evans	J. Evans
Gladwell	Hatch	Hellewell	Hillyard
Jenkins	Julander	Mayne	Steele
Thomas	Waddoups	Walker	Wright
Mansell	•		J

Absent or not voting were: Senators

Arent	Blackham	Eastman	Hale
Hickman	Knudson	Stephenson	Valentine

S.B. 110 was transmitted to the House.

S.B. 118, INDIVIDUAL INCOME TAX - ADOPTION EXPENSES, was read the third time and explained by Senator Walker. Senator Mayne commented and the bill passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators

Allen	Bell	Bramble	Buttars
Davis	Dmitrich	B. Evans	J. Evans
Gladwell	Hatch	Hillyard	Jenkins
Julander	Mayne	Steele	Thomas
Waddoups	Walker	Mansell	

Absent or not voting were: Senators

Arent	Blackham	Eastman	Hale
Hellewell	Hickman	Knudson	Stephenson
Valentine	Wright		

S.B. 118 was transmitted to the House.

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S.B. 12, INDUSTRIAL ASSISTANCE FUND AMENDMENTS, was read the third time, explained by Senator Bev Evans, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hatch
Hillyard	Jenkins	Julander	Mayne
Steele	Thomas	Waddoups	Walker
Wright	Mansell	•	

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Absent or not voting were: Senators				
Blackham	Hale	Hellewell	Hickman	
Knudson	Stephenson	Valentine		

S.B. 12 was transmitted to the House.

Day 11

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H.B. **PUBLIC TRANSIT** DISTRICTS ANNEXATION AMENDMENTS, was read the third time, explained by Senator Gladwell, and passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hatch
Jenkins	Julander	Mayne	Steele
Thomas	Valentine	Waddoups	Walker
Wright	Mansell	•	

Absent or not voting were: Senators

Blackham	Hale	Hellewell	Hickman
Hillyard	Knudson	Stephenson	

H.B. 30 was signed by the President of the Senate in open session and returned to the House.

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H.C.R. 1, RESOLUTION URGING REWORKING OF CENSUS DATE COLLECTION PROCEDURES, was read the third time, explained by Senator Waddoups, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hatch
Hillyard	Jenkins	Julander	Mayne
Steele	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	-

Absent or not voting were: Senators

Blackham Hale Hellewell Hickman Knudson Stephenson

H.C.R. 1 was signed by the President of the Senate in open session and returned to the House.

H.B. 25, EXTENSION OF TIMING FOR CREATING A LOCAL DISTRICT, was read the third time, explained by Senator Gladwell, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hatch
Hillyard	Jenkins	Julander	Mayne
Steele	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Blackham Hale Hellewell Hickman Knudson Stephenson

H.B. 25 was signed by the President of the Senate in open session and returned to the House.

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S.B. 10, PRENEED FUNERAL ARRANGEMENT AMENDMENTS, was read the third time, explained by Senator Arent, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hatch
Hillyard	Jenkins	Julander	Mayne
Steele	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Blackham Hale Hellewell Hickman Knudson Stephenson

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S.B. 10 was transmitted to the House.

S.B. 104, DISCLOSURE OF VEHICLE INFORMATION FOR PRODUCT RECALL, was read the third time, explained by Senator Eastman, and passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Allen	Bell	Bramble	Buttars
Davis	Dmitrich	Eastman	B. Evans
J. Evans	Gladwell	Hatch	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Arent	Blackham	Hale	Hellewell
Hickman	Knudson		

S.B. 104 was transmitted to the House.

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S.B. 105, PLEDGE OF ALLEGIANCE IN PUBLIC SCHOOLS, was read the third time, explained by Senator Buttars, and passed on the following roll call:

Yeas, 23; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators

Bell	Blackham	Bramble	Buttars
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	_

Voting in the negative were: Senators

Allen Davis Dmitrich

Absent or not voting were: Senators

Arent Hellewell Knudson

S.B. 105 was transmitted to the House.

S.B. 51, PLANETARIUM AMENDMENTS, was read the third time, explained by Senator Davis, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	_

Absent or not voting were: Senators

Hellewell Knudson

S.B. 51 was transmitted to the House.

44, SUBSTANCE ABUSE AND MENTAL HEALTH AMENDMENTS, was read the third time, explained by Senator Walker, and passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansall	•

Walker Wright Mansell

Absent or not voting were: Senators

Hellewell Knudson

H.B. 44 was signed by the President of the Senate in open session and returned to the House.

SECOND READING CALENDAR

H.B. 180, TRAUMA REGISTRY DATE, was read the second time.

On motion of Senator Hickman, the bill was circled.

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1st Sub. S.B. 93, REAPPOINTMENT OF COUNTY JUSTICE COURT JUDGES, was read the second time. Senator Hatch explained the bill. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Blackham	Bramble
Davis	Eastman	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Allen Buttars Dmitrich B. Evans Hellewell Knudson

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H.B. 4, VIATICAL SETTLEMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Arent	Bell	Blackham	Bramble
Buttars	Davis	Eastman	J. Evans
Gladwell	Hale	Hatch	Hickman
Hillyard	Jenkins	Julander	Mayne
Steele	Stephenson	Thomas	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Allen Dmitrich B. Evans Hellewell Knudson

On motion of Senator Valentine, the circle was removed from **S.B. 47**, LABOR COMMISSION - APPEALS BOARD, and it was before the Senate. Senator Valentine explained the bill. The bill passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators

Arent	Bell	Blackham	Buttars
Davis	Eastman	J. Evans	Hale
Hatch	Hickman	Hillyard	Jenkins
Julander	Mayne	Steele	Stephenson
Thomas	Valentine	Waddoups	Walker
Wright	Mansell		

Absent or not voting were: Senators

Allen	Bramble	Dmitrich	B. Evans
Gladwell	Hellewell	Knudson	

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S.B. 37, TASK FORCE STUDY OF IMPACT OF GRAVEL PITS, was read the second time.

On motion of Senator Wright, the bill was circled.

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S.B. 84, REAL PROPERTY VOLUNTARY ENVIRONMENTAL RESTRICTIVE COVENANTS, was read the second time. Senator Wright explained the bill. The bill passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators

Arent	Bell	Blackham	Bramble
Buttars	Davis	Eastman	J. Evans
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Allen	Dmitrich	B. Evans	Gladwell
Hellewell	Knudson		

S.B. 85, UNDERGROUND STORAGE TANK AMENDMENT, was read the second time. Senator Wright explained the bill. Senator Buttars commented. The bill passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators

Arent	Blackham	Bramble	Buttars
Davis	Dmitrich	Eastman	J. Evans
Gladwell	Hale	Hatch	Hickman
Julander	Mayne	Thomas	Waddoups
Walker	Wright	Mansell	•

Voting in the negative were: Senators

Bell Hillyard Steele Stephenson

Valentine

Absent or not voting were: Senators

Allen B. Evans Hellewell Jenkins Knudson

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S.B. 49, DRIVER LICENSE AND IDENTIFICATION CARD AMENDMENTS, was read the second time.

On motion of Senator Hickman, the bill was circled.

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S.B. 99, SEAT BELT ENFORCEMENT, was read the second time.

On motion of Senator Hale, the bill was circled.

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H.B. 23, PUBLIC AIRPORT AND AERONAUTICS AMENDMENTS, was read the second time. Senator Gladwell explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Arent Bell Blackham Bramble
Buttars Davis Dmitrich Eastman

J. Evans Gladwell Hale Hatch Hickman Hillyard Julander Jenkins **Thomas** Mayne Steele Stephenson **Valentine** Waddoups Walker Wright Mansell

Absent or not voting were: Senators

Allen B. Evans Hellewell Knudson

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On motion of Senator Waddoups, and at 11:25 a.m., the Senate recessed.

AFTERNOON SESSION

The Senate reassembled at 2:25 p.m., with President Mansell presiding.

COMMITTEE OF THE WHOLE

On motion of Senator Waddoups, David Ayazi, U. S. State Department, introduced a delegation from Afghanistan. A member of the delegation spoke in Committee of the Whole.

On motion of Senator Waddoups, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 2003

The House passed, **S.B. 18**, LIEUTENANT GOVERNOR CERTIFICATION OF SPECIAL DISTRICT AND LOCAL DISTRICT ANNEXATIONS, WITHDRAWALS, AND DISSOLUTIONS, by Senator D. Gladwell, which has been signed by the Speaker and it is transmitted for the signature of the President.

Carole E. Peterson, Chief Clerk

S.B. 18 was signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

Mr. President:

January 30, 2003

The House passed, as substituted and amended, **1st Sub. H.B. 5**, PROHIBITION OF COERCIVE RESTRAINT PRACTICES, by Representative M. Thompson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 176**, TERMINATION OF PARENTAL RIGHTS, by Representative M. Thompson, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **1st Sub. H.B. 5** and **H.B. 176** were read the first time and referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:

January 30, 2003

Day 11

The Rules Committee recommends assignment of the following bills and resolution to standing committees:

Business and Labor

S.B. 120 Payment of Wages Amendments (S. Jenkins)

Education

16

S.B. 109 Education Assistance for National Guard Members

(P. Knudson)

Government Operations and Political Subdivisions

S.B. 56 Waiver of Governmental Immunity by Governmental

Entities (J. Evans)

S.B. 129 State and Local Agencies Criteria in Awarding Bids

(J. Evans)

H.B. 82 Initiatives - One Subject Requirement (J. M. Philpot)

Health and Human Services

S.B. 53 Amendments to Controlled Substance Act (P. Knudson)
 S.B. 134 Promotion of Preventative Health Care (P. Julander)
 S.C.R. 2 Resolution Regarding Clinical Trials for Women's Health

Care (P. Julander)

Judiciary, Law Enforcement, and Criminal Justice

H.B. 64 Public Water Systems Amendments (R. Barrus)

Revenue and Taxation

S.B. 131 Individual Income Tax - Subtractions from Federal

Taxable Income (C. Bramble)

Transportation and Public Utilities and Technology

S.B. 52

Access to Uninsured Motorist Information (D. Steele)

Lyle Hillyard

Rules Committee Chair

Report filed. On motion of Senator Hillyard, the committee report was adopted.

INTRODUCTION OF BILLS

ALCOHOLIC BEVERAGE ENFORCEMENT AND TREATMENT

S.B. 66

Michael G. Waddoups

THIS ACT MODIFIES THE ALCOHOLIC BEVERAGE TITLE AND THE REVENUE AND TAXATION TITLE TO INCREASE THE BEER TAX RATE AND TO CREATE THE ALCOHOLIC BEVERAGE ENFORCEMENT AND TREATMENT RESTRICTED ACCOUNT. THIS ACT MAKES TECHNICAL CHANGES. THIS ACT TAKES EFFECT JULY 1, 2003, was read for the first time and referred to the Rules Committee.

PERSONAL USE OF CAMPAIGN FUNDS

S.B. 73 Karen Hale

THIS ACT MODIFIES THE ELECTION CODE TO ADDRESS THE USE AND DISPOSITION OF CAMPAIGN FUNDS, PROVIDES A CIVIL PENALTY FOR CERTAIN VIOLATIONS, AND MAKES TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

MEDICAL MALPRACTICE AMENDMENTS

S.B. 138

Leonard M. Blackham

THIS ACT AMENDS THE UTAH HEALTH CARE MALPRACTICE ACT AND THE HEALTH CARE PROVIDERS IMMUNITY FROM LIABILITY ACT. THE ACT AMENDS PROVISIONS RELATED TO ARBITRATION AGREEMENTS BETWEEN A HEALTH CARE PROVIDER AND A PATIENT. THE ACT ALLOWS A PROVIDER AND PATIENT TO NEGOTIATE AN ARBITRATION AGREEMENT IN NONEMERGENCY SITUATIONS. THE ACT AMENDS PROVISIONS RELATED TO IMMUNITY FROM LIABILITY FOR CERTAIN CHARITY CARE, was read for the first time and referred to the Rules Committee.

On motion of Senator Waddoups, under suspension of the rules, the 24-hour rule was waived for bills on the Second Reading Calendar for the remainder of the day.

SECOND READING CALENDAR

S.B. 28, INITIATIVE AMENDMENTS, was read the second time.

On motion of Senator Waddoups, the bill was circled.

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S.B. 45, LOBBYIST REPORTING REQUIREMENTS, was read the second time. Senator Arent explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hillyard	Julander	Mayne
Steele	Stephenson	Thomas	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Hatch Hellewell Hickman Jenkins Knudson

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H.B. 21, STATE BUILDING OWNERSHIP AUTHORITY RECODIFICATION AND REVISION, was read the second time. Senator Allen explained the bill. The bill passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Bramble
Buttars	Davis	Dmitrich	Eastman
B. Evans	J. Evans	Gladwell	Hale
Hatch	Hillyard	Julander	Mayne
Steele	Stephenson	Thomas	Valentine
Waddoups	Walker	Wright	Mansell

Absent or not voting were: Senators

Blackham Hellewell Hickman Jenkins

Knudson

H.B. 26, STATE GENERAL OBLIGATION BOND ACT, was read the second time. Senator Bev Evans explained the bill. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hillyard	Julander
Mayne	Steele	Stephenson	Thomas
Valentine	Waddoups	Walker	Wright
Mansell	•		O

Absent or not voting were: Senators

Hellewell Hickman Jenkins Knudson

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H.B. 181, SECURITY REQUIREMENTS IN USE OF SOCIAL SECURITY NUMBERS, was read the second time. Senator Walker explained the bill. Senator Bramble commented. The bill passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators

0			
Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Mayne	Steele	Stephenson	Thomas
Valentine	Waddoups	Walker	Wright
Mansell	•		J
Mansell			

Absent or not voting were: Senators

Hellewell Jenkins Julander Knudson

* * *

1st Sub. S.B. 34, TUITION TAX CREDITS, was read the second time.

On motion of Senator Buttars, the bill was circled.

* * *

On motion of Senator Jenkins, under suspension of the rules, the Senate voted to move to Concurrence Calendar.

On motion of Senator Jenkins, under suspension of the rules, the Senate voted to waive the 24-hour rule for bills on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Senator Jenkins, the Senate voted to concur in the House amendments to **S.B. 25**, COMMITTMENT AND CUSTODY OF ADULTS AND MINORS AMENDMENTS. The bill, as amended, passed on the following roll call:

Yeas, 27; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators

Allen	Arent	Bell	Blackham
Bramble	Buttars	Davis	Dmitrich
Eastman	B. Evans	J. Evans	Gladwell
Hale	Hatch	Hickman	Hillyard
Jenkins	Julander	Mayne	Steele
Stephenson	Thomas	Valentine	Waddoups
Walker	Wright	Mansell	•

Absent or not voting were: Senators

Hellewell Knudson

S.B. 25, as amended, was returned to the House.

* * *

On motion of Senator Waddoups and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Friday, January 31, 2003.

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Read the second time Read the third time Amendments		Read for the first time and referred to the Rules Committee Placed on calendar Read the second time Amendments Read the third time Transmitted to the House Signed by the President and transmitted to the Governor LE HISTORY INFORMATION (D. Eastman) Read for the first time and referred to the Rules Committee Assigned to standing committee
Read the third time		Read for the first time and referred to the Rules Committee Placed on calendar Read the second time Amendments Read the third time Transmitted to the House Signed by the President and transmitted to the Governor LE HISTORY INFORMATION (D. Eastman) Read for the first time and referred to the Rules Committee Assigned to standing committee Amendments
Amendments		Read for the first time and referred to the Rules Committee Placed on calendar Read the second time Amendments Read the third time Transmitted to the House Signed by the President and transmitted to the Governor E HISTORY INFORMATION (D. Eastman) Read for the first time and referred to the Rules Committee Assigned to standing committee Amendments Placed on calendar
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		Read for the first time and referred to the Rules Committee Placed on calendar Read the second time Amendments Read the third time Transmitted to the House Signed by the President and transmitted to the Governor LE HISTORY INFORMATION (D. Eastman) Read for the first time and referred to the Rules Committee Assigned to standing committee Amendments Placed on calendar Read the second time Read the second time Read the third time

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	Assigned to standing committee	60
	Amendments	105
	Placed on calendar	106
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	Assigned to standing committee	36
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	Placed on calendar	119
	Read the second time	
	Circled	129
	Uncircled	176
	Read the third time	
	Circled	
	Uncircled	
	Transmitted to the House	202
S.B. 22 TELECO	MMUNICATIONS RELATED TAXES, FEES, AND CHARGES (C. Bramble)	
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	Assigned to standing committee	175
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S.B. 23 STATE A	ND LOCAL TAXES, FEES, AND CHARGES RELATED TO TELECOMMUNICATIONS (C. Bramble)	
	Read for the first time and referred to the Rules Committee	18
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	Bramble)	
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DIDITE LOCAL	Read for the first time and referred to the Rules Committee	18
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3.B. 23 COMM	Read for the first time and referred to the Rules Committee	10
	Placed on calendar	
	Read the second time	09
	Read the third time	
	Transmitted to the House	
	Placed on Concurrence Calendar	
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S.B. 26 SUNSEI	ACT REAUTHORIZATIONS (P. Arent)	10
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	Read the second time	1/8
	Read the third time	
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S.B. 32 DRIVER EDUCATION COURSES (C. Walker)	
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Assigned to standing committee	
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Read for the Assigned to Placed on c Read the se Read the th Transmitted
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S.B. 66 ALCOHOLIC BEVERAGE ENFORCEMENT AND TREATMENT (M. Waddoups) Read for the first time and referred to the Rules Committee	7
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8. 93 REAPPOINTMENT OF COUNTY JUSTICE COURT JUDGES (1. Hatch) Read for the first time and referred to the Rules Committee
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Read the second time
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B. 95 STATE EMERGENCY MEDICAL SERVICES AMENDMENTS (J. Valentine)
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B. 96 DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING ACT AMENDMENTS (P. Julander)
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3. 99 SEAT BELT ENFORCEMENT (K. Hale)
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